

REMARKS:

Claims 2-11 are in the case and are presented for consideration.

The specification was been amended to address the Examiner's objections and is believed to be in proper form to support the claims in the sense that those skilled in the art reading the specification will readily understand how to make and use the invention to the extent required by 35 U.S.C. 112, first paragraph.

Claim 2 has also been amended to include various features that enhance its utility and advantage to hearing impaired users who are to benefit from the invention, such as a rechargeable battery and charging means (see the specification at page 6, line 21 to page 7, line) and a blinking reflector with signal receiving capacity (see the specification at page 5, lines 20-23 and page 6, lines 12-15). These features, in combination with the other feature of claim 2, are believed to produce an new, unexpected and advantageous result over any obvious combination of the prior art and the dependent claims further distinguish the invention over the prior art.

In response to the Examiner's rejection of claims 2, 3, 4, 7, 10 and 11 as being obvious from U.S. Patent 7,035,422 to Wiener in view of U.S. Patent 6,594,370 to Anderson, it is noted that Wiener does not teach a wireless driving of the speakers as a main feature of the Wiener technology, nor does Wiener contemplate tailoring the speakers so that they transmit vibrations to the wearer, keeping in mind that the present invention was invented by a hearing impaired person and is designed especially for deaf

or hearing impaired users.

Wiener clearly focuses on a tubular sound conveying structure that enhances high frequency which improves the sound quality. This is meaningless to the purpose of the claimed invention and, would only obscure the obviousness of claim 2. The hearing of high frequency sounds are the first to be lost by the hearing impaired and cannot be felt as vibrations at all. See, for example, Wiener at column 13, starting on line 30, where the high frequency characteristics of the Wiener invention are discussed.

Wiener also mentions the possible wireless powering of the speaker only as a remedial measure where a removable collar option is discussed. See Wiener at column 7, starting on line 29. A wireless option is also mentioned at column 14, line 51. The main thrust of Wiener is not, however, to always provide a wireless powering of the speakers so that the vest of claim 2 can be used by a hearing impaired person whenever music is transmitted wirelessly to pick up the signals and convert them to vibrations that are felt by the hearing impaired person.

While the Examiner takes official notice concerning the removable sleeves and the wrist-watch mounting, these are features that are particularly useful for a deaf person who may want to use the vest all the time, and thus sometimes without the sleeves and at other times have the sleeves, and including the convenience of a watch.

The use of a reflector in conjunction with the vest is also particularly important for a hearing impaired wearer since a danger that is not shared by people with normal hearing is particularly severe for the hearing impaired where oncoming danger such as a vehicle, is not heard. The reflector gives added protection to the hearing impaired by making the person wearing the vest more visible to oncoming traffic. Making the reflection blinking and

part of the signal reception capacity adds further utility and draws even more attention to the reflector to enhance its safety function, and to add a further visible aspect to the vest which is particularly valuable for the hearing impaired who are, as the inventor herself represents in the following, “visual people.”

The Anderson reference adds little to the Wiener reference toward claim 2 in that the collar mounted wireless structure is meant to signal to an ear piece speaker and not at all for a vest mounted speaker that transmits vibrations to the person's body. An ear mounted speaker would have limited use to the hearing impaired and no use to a deaf person and there is no logical reason why the skilled artisan would combine the teaching of Anderson with that of Wiener to reach claim 2.

Claim 7 further distinguishes the invention by internally mounting the speakers in the vest lining, thus, bringing them closer to the person's body and enhancing the feeling of vibration. The person of ordinary skill in the art how has not first read the present application, would have no reason at all to mount any speaker in this way since that would muffle the sound and degrade the usual speaker function. None of the references give any reason for doing this. Only when it is understood that the felt vibrations to the body are to be enhanced does claim 7 make any sense and that only comes from reading the present application.

The Examiner has also rejected claims 5, 6, 8 and 9 as being obvious from a combination of Wiener and Anderson, taken further in view of U.S. Patent 6,535,102 to Marmaropoulos. The inclusion of a hood in the claimed invention adds additional versatility

to the vest that is meant to be used both for warmth (with sleeves and hood) and for sound appreciation only (without sleeves and hood). Here, the presence of a built in headphone in the Marmaropoulos reference would be redundant to the body speakers of Wiener by the person of ordinary skill in the art unless the present application is first read. Using ear mounted speakers would add little to the combination unless the skilled artisan is also taught that the vest is for the hearing impaired.

Since a person who is hearing impaired may have some hearing, but may still wish to take advantage of the tactile sensation of vibrations of the vest mounted speakers, both the speakers and the headphones would make sense in the overall combination, again, if the skilled artisan were to understand the purpose of the invention. Without this understanding and without hindsight achieved by reading the present application, the skilled artisan would have no reason to combine the teachings of Wiener with Anderson and Marmaropoulos to reach claims 5, 6, 8 or 9 under 35 U.S.C. 103.

Accordingly, the claims are believed to be patentable over the prior art and the application and claims are believed to be in condition for allowance.

The following comments were offered by the inventor herself, in defense of her invention over the Examiner's rejection and are presented here to further emphasize the importance of the invention and the patentability of the invention over the prior art.

U.S. Patent 6,594,370 to Anderson has no resemblance to the claimed invention. Anderson does not provide any teaching for a device for people who cannot hear since it is solely designed for listening using the ears. Anderson is focused on wireless

transmission from the collar and wireless transmission of power.

U.S. Patent 6,594,370 to Wiener teaches a device that simply produces sound from the speakers while the claimed invention is specifically designed to help deaf feel the vibration, not hear sound.

The inventor, who is hearing impaired herself and therefore has a unique perspective, is claiming a vibrator-generating device, not a sound-generating device ONLY. Here, the inventor represents that the device is for BOTH sound and non-sound (vibration) to feel music for wireless connectivity for various devices such as DVD players, mp3 players, Bluetooth devices, etc. She wishes to give the consumers the option to switch to sound/vibration-generating device. This is not taught or suggested by either Weiner or Anderson.

She also points out that one of the features for the speaker vest with the built-in speaker headphone inside the hood to be used for deaf and hard of hearing people with hearing loss is to feel the speaker vibration over the ear or transmit the vibration through the bone. It is a vibrator-generating model. Sounds transmitted will not be effective for those who cannot hear. In most of the market today, there aren't any headphones designed specially for this niche group who depends on vibration to feel music. In general, speaker headphones are designed for maximum audio sound for the audiophiles, not us. We (the hearing impaired) need the type of technology where we can depend on the strength and the power of vibrator to meet our needs to feel music. These speakers are like bone-conduction headphones inside the hood, meaning that they pass vibration directly through your skull to your inner ear, bypassing the eardrum. The deaf and hard of hearing folks will be "feeling the music."

Weiner teaches using tubes along the jacket or vest, while the claimed invention uses the speakers as vibrators.

The claimed device allows the removal of sleeves to form a vest when it is warm. The invention allows for a super bass vibrator-generating system for feeling high sensation beats that is small enough for light carrying. The speaker/vibrator placement is on the front, above chest, low by the hips area, on the back, near the shoulder blades, on the sides, lower back above the gluts or in the middle, all for enhancing the intensity of the felt vibrator beats.

The transmitter/receiver can be placed on the collar or on the back of the collar neck or could be at the end of the sleeves and is also designed to allow communication signal with the remote control.

The reflectors are present to help deaf people feel and read music rhythms. As the inventor says, "we are visual people."

Other important features and capacities that flow from the invention are:

- The reflector can be use as a transmitter/receiver.
- Power charger for battery, to charge the device.
- Credit card size remote control (battery enabled device) with feature buttons to give us options, i.e, to switch to a communicator signal to (M) for movie to activate the transducer to transmit and receive vibration without actually emitting audio noise or sound.
- If one wants audio/music, they switch the communicator signal to for audio/music; they have the option of using a CD Walkman, iPod, MP3 Player.

- If they want just vibrator (just to feel the beats but no sound), they can switch the communicator signal to V for vibrator.

- Speaker loop inserted around the loop or to be worn externally (ideal for those with little hearing losses or those who wear cochlear implant devices).

- Pockets for storing gadgets (Velcro or sewn in).

- Patches under the elbow-level for blinking reflector and blinking rhythm of beats (Velcro or sewn in).

- The cloth will hold multiple flat panel speakers both front and back.

- The vest will also contained sports wristwatches and bands, with Nylon strap, Velcro closure, or sewn in around the side of the armhole of the sleeves.

- The vest is ideal as sportswear for cyclists, joggers, skateboarders, rollerbladers and other active people with hearing impairment.

- There are multiple pockets and pouches to store gadgets, keys, iPods, CD/DVD Players, small computer laptops, games, digital cameras, wallets, PDAs, removable speakers and so forth.

- The speaker vest will all have transmitter and receivers built internally or externally of the vest for receptive to work with the remote wireless.

- The essential components used to operate its functionality with the headphone, speakers, and blinking reflectors.

- Most of all, the greatest benefit to this unit is that they get to be charged overnight like you would do to a massager chair with the option of using a remote control or a turn on button inserted on the vest.

- The speakers can be added anywhere, in the front or the back.

In summary, the idea is to allow anyone the free will to travel anywhere with the speaker vest. The inventor plans to also develop a mechanism that will allow Deaf people to enjoy this unit when they go to the movies. For instance, when they go to the movies, we want to design a prototype control dial button so they can set up the communicator to (M) for movie to activate the transducer to transmit and receive vibration without actually emitting audio noise or sound. Wi-Fi radio wave is an introduction to that idea. If they want audio/music, they set up the control dial button to (A) for audio/music; they have the option of using a Cd Walkman, iPod, MP3 Player.

Accordingly the application and claims are believed to be in condition for allowance and favorable action is respectfully requested.

If any issues remain, the Examiner is respectfully invited to contact the undersigned at the number below, to advance this application to allowance.

Respectfully submitted,

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